

## **REMARKS**

Claims 1-34, 39-43 and 117-128 remain pending in the present application. The claims have not been amended in response to the Office Action.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1, 4, 7-9, 12, 13, 16, 18, 20, 23, 24, 27, 29-31, 33, 39, 41 and 117-128 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Borkowski, et al. (U.S. Pat. No. 5,519,760) in view of Bergen (U.S. Pat. No. 6,097,958). Claims 2, 11, 22, 26 and 43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Borkowski, et al. (U.S. Pat. No. 5,519,760) in view of Bergen (U.S. Pat. No. 6,097,958) and further in view of Rantalainen, et al. (U.S. Pat. No. 6,667,963). Claims 3, 10, 14, 15, 21, 25, 34 and 42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Borkowski, et al. (U.S. Pat. No. 5,519,760) in view of Bergen (U.S. Pat. No. 6,097,958) and further in view of Linden, et al. (U.S. Pat. No. 6,549,773). Claims 5 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Borkowski, et al. (U.S. Pat. No. 5,519,760) in view of Bergen (U.S. Pat. No. 6,097,958) and further in view of Falco, et al. (U.S. Pat. No. 6,493,539). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Borkowski, et al. (U.S. Pat. No. 5,519,760) in view of Bergen (U.S. Pat. No. 6,097,958) and further in view of Kong (U.S. Pat. No. 6,275,186). Claims 17, 19, 32 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Borkowski, et al. (U.S. Pat. No. 5,519,760) in view of Bergen (U.S. Pat. No. 6,097,958) and further in view of Chiang, et al. (U.S. Pat. No. 6,741,863). Applicant respectfully traverses this rejection.

Claims 1, 9, 18, 23, 29 and 39 each include a limitation that the formatted message contains a difference between previous and current positions (or information related to the position).

As stated by the Examiner, Borkowski, et al. does not disclose a formatted message which contains a difference between previous and current wireless communication infrastructure state information related to the position of the mobile station. Bergen teaches a formatted message related to the current position but there is nothing in Bergen which discloses, teaches or suggests including a difference between a previous and current position.

As defined by Bergen, in column 6, lines 38-58, a Schedule and Tracking System (STS) 15 maintains a tracking log for each of the mobile phones. The tracking log for each phone at the STS 15 is updated periodically enabling the STS 15 to track the phone and predict the future location. But, the message received from the phone or mobile station is only its current position. While the current position may be different than a previous position, the formatted message only includes the current position. The mobile unit does not keep track of previous positions, the STS 15 does, and so the mobile unit or phone in Bergen is not capable of including a difference between previous and current positions. As discussed on page 7, lines 15-18, the mobile station of the present invention stores the sequential information and thus it can include a difference in its formatted message.

Thus, Applicant believes Claims 1, 9, 18, 23, 29 and 39 patentably distinguish over the art of record. Likewise, Claims 2-8, 10-17, 19-22, 30-34, 40-43 and 117-128, which ultimately depend from one of these claims, are also believed to patentably


distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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